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by Kathryn Ross
Date: 2018.09.24
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
Mike Braun;)	
Mike Braun for Indiana;)	MUR 7490
Travis Kabrick,)	
in his official capacity as Treasurer.)	

RESPONSE

Through counsel, Mike Braun, Mike Braun for Indiana, and Travis Kabrick, in his official capacity as Treasurer, (collectively, "the Respondents") provide the following response to the complaint filed with the Federal Election Commission ("FEC" or "Commission") by the Indiana Democratic Party ("Complainant") and designated by the Commission as MUR 7490.

This complaint arises out of the Respondents' lawful transmission of a required 48-Hour Notice of Contributions Received report ("the Report"). Upon closer review, it is clear the Respondents satisfied their obligations under the Federal Election Campaign Act of 1971, as amended ("FECA" or "the Act"), including all disclosure requirements therein. In summary, it appears the Report, though properly prepared and adequately transmitted in accordance with all requirements of the Act, did not fully transmit to the Senate Office of Public Records as a result of an unforeseen technological failure beyond the control of the Respondents. Therefore, because the Respondents met their responsibilities under the Act and have since fully disclosed all transactions provided in the Report, the Commission should use its sound judgement to quickly dispose of this complaint and close this matter without further action.

I. BACKGROUND

Mike Braun is currently a candidate for the United States Senate from Indiana, and Mike Braun for Indiana is Mr. Braun's authorized candidate committee. On April 23, 2018, Mike Braun made several permissible transfers to Mike Braun for Indiana, including a \$250,000 loan to Mike Braun for Indiana ("the Loan"). Consistent with the Act and FEC regulations, Mike Braun for Indiana prepared the Report itemizing the Loan and disclosing all required transaction details. A copy of the Report, as prepared, is attached hereto as Exhibit A.

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On April 25, 2018, Mike Braun for Indiana transmitted the Report to the Senate Office of Public Records via facsimile and received confirmation that the Report was transmitted successfully. A copy of that confirmation is attached hereto as Exhibit B. Subsequent to filing the Report, Mike Braun for Indiana also disclosed the Loan on its next regular disclosure filing.¹ During transmission of the Report and unbeknownst to the Respondents, certain, but not all, details of the Loan became illegible or otherwise damaged. Prior to this complaint, the Respondents were not notified by either the Senate Office of Public Records or the Commission that the Report, as received, was damaged or otherwise contained illegible elements.²

II. ANALYSIS

The Respondents properly transmitted the Report to the required filing authority within the timeline of disclosure mandated by the Commission's rules; however, the Respondents acknowledge that during the transmission process, certain elements of the Report became damaged or otherwise illegible. A review of the attached exhibits makes clear that the Respondents intended to fully disclose all transactions, including the Loan.

Indeed, although it is damaged, the Report as received shows the Loan occurred and that Respondents intended to disclose that Loan. Only the amount of the Loan became illegible. The Respondents' disclosure of the Loan on the next regular disclosure report also demonstrates that the Respondents had no intention of withholding the existence of the Loan or any of its details. Furthermore, at no point did the Respondents receive notice from any responsible filing authority that the submitted Report contained damaged or illegible data. Had the Respondents received such notice, the Respondents willingly would have taken prompt action to refile the Report.

In summary, the Respondents accurately and completely satisfied their disclosure obligations under the Act and FEC regulations, and they should not be held responsible for either (i) an unforeseen and uncontrollable technological error or (ii) the failure of the responsible filing authorities to notify the Respondents that their filing had been damaged during transmission.

III. CONCLUSION

As described above, Respondents have fully complied with the Act and FEC regulations. Thus, the Commission should find no reason to believe that a violation has occurred in relation to the facts presented.

¹ All disclosure filings are available on the FEC's website at: www.FEC.gov.

² Although the Commission eventually issued a "Request for Additional Information" regarding the Report on August 28, 2018, the Complainant swore to this complaint on August 22, 2018.

Sincerely,



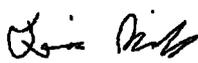
Chris K. Gober
Counsel to Mike Braun, Braun for Indiana and
Travis Kabrick, in his official capacity as Treasurer

UT10UN0014426101

48-HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED

(See Reverse Side for Instructions)

To be used to report all contributions (including loans) of \$1000 or more, received within 20 days of the election.

1. NAME OF COMMITTEE IN FULL MIKE BRAUN FOR INDIANA			
ADDRESS (number and street) 505 Main St			
CITY Jasper	STATE IN	ZIP CODE 47546-3133	
2. NAME OF CANDIDATE Braun, Mike, . .		3. OFFICE SOUGHT (State and District) Senate IN	4. FEC IDENTIFICATION NUMBER CD0653147
5. IS THIS AN AMENDMENT? <input checked="" type="checkbox"/> NO, THIS IS A NEW FILING <input type="checkbox"/> YES, IT AMENDS THE NOTICE FILED ON _____ / _____ / _____			
A. FULL NAME Schwenk, Raymond, . .		Name of Employer Jasper Engines	Date (month, day, year) 04/23/2018
MAILING ADDRESS 1663 Gregory Lane		Transaction ID : 6686F030B0A744C14	Amount 2500.00
CITY Jasper	STATE IN	ZIP CODE 47546-9038	Occupation Owner
B. FULL NAME Braun, Mike, . .		Name of Employer Meyer Distributing	Date (month, day, year) 04/23/2018
MAILING ADDRESS 505 Main St		Transaction ID : 6A7FFD49DBE464CE	Amount 385000.00
CITY Jasper	STATE IN	ZIP CODE 47546-3133	Occupation President
C. FULL NAME Braun, Mike, . .		Name of Employer Meyer Distributing	Date (month, day, year) 04/23/2018
MAILING ADDRESS 505 Main St		Transaction ID : 6DDF93989AAA3408	Amount 250000.00
CITY Jasper	STATE IN	ZIP CODE 47546-3133	Occupation President
D. FULL NAME Dick, Rollin, . .		Name of Employer Haverstick Consulting	Date (month, day, year) 04/23/2018
MAILING ADDRESS 4 Woodard Pl		Transaction ID : 6E23FACBDFE96433	Amount 1000.00
CITY Zionsville	STATE IN	ZIP CODE 46077-8189	Occupation CFO
E. FULL NAME		Name of Employer	Date (month, day, year)
MAILING ADDRESS			Amount
CITY	STATE	ZIP CODE	Occupation
SIGNATURE (optional) Kabrick, Travis, . .		DATE 04/25/2018	For further information contact: Federal Election Commission 999 E Street, NW, Washington, DC 20463 Toll Free 800-424-9530. Local 202-694-1100
			

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Any information copied from reports and statements filed under the Federal Election Campaign Act may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.



Travis Kabrick <travis@sdpcaging.com>

Successful transmission to 12022241851. Re: UNKNOWN

NoReply@myfax.com <NoReply@myfax.com>
To: 87316705@send.storage.myfax.com

Wed, Apr 25, 2018 at 10:52 AM

The fax you sent through MyFax to 12022241851 was successfully transmitted.



Hi Travis,

Re: UNKNOWN

The fax you sent through MyFax to 12022241851 was successfully transmitted.

Fax Details

Date:	2018-04-25 15:52:40 (GMT)
Number of Pages:	1
Length of Transmission:	71 seconds
Receiving Machine Fax ID:	202-224-1851

If you have any questions, please call (866) 563-9212 or visit our online help center at www.myfax.com/support. Thank you for using the MyFax service.

Sincerely,
The MyFax Team



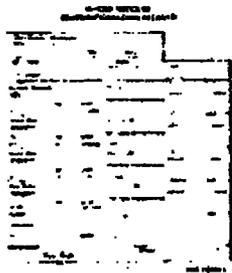
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8/28/2018

Same Day Processing Mail - Successful transmission to 12022241851. Re: UNKNOWN



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RECEIVED
SECRETARY OF THE SENATE
PUBLIC RECORDS

CONTRIBUTIONS/LOANS RECEIVED

2018 APR 25 PM 12:15

1. NAME OF COMMITTEE IN FULL MIKE BRAUN FOR INDIANA			
2. NAME OF CANDIDATE Braun, Mike, . . .		3. OFFICE SOUGHT (State and District) Senate IN	
4. FEC IDENTIFICATION NUMBER C00653147			
A. FULL NAME 1683 Gregory Lane		Name of Employer Inner Engineer	
CITY Jasper		Transaction ID : 6686F030B0A744C14	
STATE IN		Occupation Owner	
ZIP CODE 47546-9038		Date (month, day, year) 04/23/2018	
MAILING ADDRESS 505 Main St		Amount 385000.00	
Transaction ID : 6A7FFD460BE464CF			
C. FULL NAME Braun, Mike		Name of Employer Meyer Distributing	
CITY Jasper		Transaction ID : 6DDF93989AAA3408	
STATE IN		Occupation President	
ZIP CODE 47546-3133		Date (month, day, year) 04/23/2018	
MAILING ADDRESS 4 Woodard Pl		Amount 1000.00	
Transaction ID : 6E23FACBDFE96433			
E. FULL NAME		Name of Employer	
MAILING ADDRESS		Date (month, day, year)	
SIGNATURE (optional) <i>Kabrick, Travis</i>		DATE 04/25/2018	
		For further information contact: Federal Election Commission E Street NW, Washington, DC 20543	

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FEC FORM 6